



DÁIL ÉIREANN

Dé Céadaoin, 30 Eanáir, 2019
Wednesday, 30th January, 2019

RIAR NA hOIBRE
ORDER PAPER

Dé Céadaoin, 30 Eanáir, 2019
Wednesday, 30th January, 2019

10.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

33. An Bille um Barrachas Náisiúnta (Cúlchiste le haghaidh Teagmhais Eisceachtúla), 2018 — An Dara Céim (*atógáil*).
National Surplus (Reserve Fund for Exceptional Contingencies) Bill 2018 — Second Stage (*resumed*).
8. An Bille Rialtais Áitiúil (Rátaí), 2018 — Ordú don Dara Céim.
Local Government (Rates) Bill 2018 — Order for Second Stage.
54. An Bille chun Mangaireacht Ticéad os cionn Costais a Thoirmeasc, 2017 — An Dara Céim.
Prohibition of Above-cost Ticket Touting Bill 2017 — Second Stage.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

208. (l) Tairiscint *maidir leis* an Ógchoireacht.
(a) Motion *re* Juvenile Crime.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- 32a. Tairiscint *maidir leis* an Tuarascáil maidir le hOideachas Caidrimh agus Gnéasachta.
Motion *re* Report on Relationships and Sexuality Education.
- 216a. Tairiscint *maidir leis* an tOrdú um Thoghlímistéir Áitiúla agus Ceantair Bhardasacha Chontae Loch Garman, 2018 (I.R. Uimh. 637 de 2018).
Motion *re* the County of Wexford Local Electoral Areas and Municipal Districts Order 2018 (S.I. No. 637 of 2018).

I dTOSACH GNÓ PHOIBLÍ
AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh: Initiation of Bills

Tíolactha:

Presented:

8. An Bille Rialtais Áitiúil (Rátaí), 2018 — Ordú don Dara Céim.
Local Government (Rates) Bill 2018 — Order for Second Stage.

Bille dá ngairtear Acht d'athchóiriú an dlí a bhaineann le rátaí a bhailiú i ndáil le maoin áirithe, do dhéanamh socrú maidir le bunachar sonraí den mhaoín sin sa Stát a bhunú agus a chothabháil, do dhéanamh socrú maidir le hachtacháin áirithe a leasú agus a aisghairm agus do dhéanamh socrú i dtaobh nithe goalmhara.

Bill entitled an Act to revise the law relating to the collection of rates in relation to certain properties, to provide for the establishment and maintenance of a database of those properties in the State, to provide for the amendment and repeal of certain enactments and to provide for related matters.

—An tAire Tithíochta, Pleanála agus Rialtais Áitiúil.

Fógraí Tairisceana: Notices of Motions

32a. “Go mbreithneoidh Dáil Éireann an Tuarascáil ón gComhchoiste um Oideachas agus Scileanna dar teideal ‘Tuarascáil maidir le hOideachas Caidrimh agus Gnéasachta’, ar leagadh cóipeanna di faoi bhráid Dháil Éireann an 29 Eanáir 2019.

That Dáil Éireann shall consider the Report of the Joint Committee on Education and Skills entitled ‘Report on Relationships and Sexuality Education’, copies of which were laid before Dáil Éireann on 29th January, 2019.”

—Fiona O’Loughlin,
Chairman of the Joint Committee on Education and Skills.
[30 January, 2019]

ORDUITHE AN LAE
ORDERS OF THE DAY

33. An Bille um Barrachas Náisiúnta (Cúlchiste le haghaidh Teagmhais Eisceachtúla), 2018 — An Dara Céim (*atógáil*).
National Surplus (Reserve Fund for Exceptional Contingencies) Bill 2018 — Second Stage (*resumed*).
54. An Bille chun Mangaireacht Ticéad os cionn Costais a Thoirmeasc, 2017 — An Dara Céim.
Prohibition of Above-cost Ticket Touting Bill 2017 — Second Stage.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS’ BUSINESS

Fógraí Tairisceana:

Notices of Motions:

208. “That Dáil Éireann:

notes that:

- a review of the Garda Youth Diversion Office (GYDO) recently carried out by An Garda Síochána has identified serious failings within the Garda Youth Diversion Programme (GYDP);
- the review examined 158,521 youth referrals, relating to 57,386 individual children, which were created on the Police Using Leading Systems Effectively (PULSE) system during the period 25th July, 2010 to 28th July, 2017;
- it was found that 7,894 of these referrals had not been appropriately progressed to a conclusion by An Garda Síochána;
- the review shows that the bulk of crimes not progressed were in the areas of public order, theft, traffic and criminal damage;
- 55 serious offences were identified as being not progressed, including rape, sexual assault and child neglect;
- many of the young offenders who were not progressed through the GYDP subsequently became involved in serious crime;
- the Garda Commissioner has described the failure to prosecute these youth offenders as a ‘humiliating professional failure’ for the force;
- this is the latest in a series of issues regarding Garda statistics that has damaged public confidence in An Garda Síochána;
- the Policing Authority said ‘So when there are no consequences for children who are unsuitable for the programme, it is inherently unfair on those who accepted their responsibilities. More seriously than that, however, is that without follow up, opportunities to help those children are missed. Children are failed and victims of crime are failed.’; and
- these findings are shocking, serious lessons have to be learnt and immediate actions need to be taken by the Minister for Justice and Equality, An Garda Síochána, the Department of Justice and Equality and the Department of Children and Youth Affairs to prevent any further lack of follow-up on juvenile cases;

acknowledges that:

- successive reports have recommended that much more cooperation is needed between An Garda Síochána and Tusla;
- youth diversion programmes are proven to be very successful in reducing reoffending;
- the State has a responsibility to try to divert children from a path of crime should they commit offences at a young age;
- increased illegal drug use is causing greater challenges;
- 8,000 reported crimes by children should not occur without a targeted and strategic response from the State;
- 57 of the child offenders referred to have since died, indicating that many of those participating in this programme experienced chaotic lives; and
- most offences identified as not being acted upon are now time-barred on grounds of delay, and many others would be difficult to progress as they have been contaminated by the poor process to date; and

calls for:

- a review into the cause of cases which were not properly progressed, to examine if disciplinary procedures should take place;
- victims of the serious crimes, which were not appropriately progressed to a conclusion, to be informed;
- an anonymised report into the cause of cases and in particular repeated cases which were not properly progressed in order to identify specific failures within the GYPD;
- a stay to be placed on the decision of the Department of Justice and Equality to centralise the Juvenile Diversion Programme pending the findings of these reports;
- the Minister for Justice and Equality, in conjunction with the Minister for Children and Youth Affairs, to publish an action plan for the reorganisation of youth justice sections within both departments to ensure accountability lies with only one line Minister;
- a quarterly update for the Houses of the Oireachtas on the progress of all issues before the GYDO for a period of no less than three years;
- a significant strengthening of section 28 of the Children Act 2001, to prescribe a minimum standard of supervision for all children under the supervision of a Juvenile Liaison Officer;
- increased and sustained investment in the Juvenile Diversion Programme;
- the Government to promote an effective GYDP to ensure the provision of training for Youth Justice Workers on specific issues such as health and mental health; and
- greater levels of prevention and protection for the public and the children caught up in criminal activity.” — *Jim O'Callaghan, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Thomas Byrne, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa M. Chambers, Niall Collins, Barry Cowen, John Curran, Stephen S. Donnelly, Timmy Dooley, Sean Fleming, Pat the Cope Gallagher, Seán Haughey, Billy Kelleher, John Lahart, James Lawless, Marc MacSharry, Micheál Martin, Charlie McConalogue, Michael McGrath, John McGuinness, Aindrias Moynihan, Michael Moynihan, Eugene Murphy, Margaret Murphy O'Mahony, Darragh O'Brien, Éamon Ó Cuív, Willie O'Dea, Kevin O'Keeffe, Fiona O'Loughlin, Frank O'Rourke, Anne Rabbitte, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy.*

[29 January, 2019]

Leasú:

Amendment:

1. To delete all words after “Dáil Éireann:” and substitute the following:

“notes that the Interim Report from the Garda Commissioner to the Policing Authority on the handling of youth crime cases during the period 25th July, 2010 to 28th July, 2017 has identified serious failings within An Garda Síochána, including failure to process the prosecution of almost 8,000 youth crimes and that:

- many of the young offenders who were not progressed continued to commit crime, and some went on to commit serious crimes;
- these included 55 serious offences including rape, sexual assault and child neglect;
- 57 of the child offenders since died, and that many of them lived chaotic lives;

- most offences identified as not being acted upon are now time-barred on grounds of delay, and others may be contaminated by the poor process to date;
- the Garda Commissioner has described the failure to prosecute these youth offenders as a ‘humiliating professional failure’ for the force;
- the Policing Authority said that ‘when there are no consequences for children who are unsuitable for the programme...opportunities to help those children are missed. Children are failed and victims of crime are failed.’;
- there are implications for the quality of Garda case management and data systems and that there are other concerns regarding Garda statistics; and
- this, and previous reports referring systemic and cultural issues within An Garda Síochána have serious implications for public confidence in the force;

acknowledges that:

- successive reports have recommended better interagency working, including between An Garda Síochána and Tusla, to address the complex socio-economic issues (including increased illegal drug use) that often underlie the involvement of children in crime;
- youth diversion programmes are proven to be very successful in reducing reoffending;
- the State has a responsibility to try to divert children from a path of crime and the existing legislative framework for these actions is provided in Part IV of the Children Act 2001 (as amended);
- lessons must be learned and strong strategic measures put in place to prevent further lack of follow-up on juvenile cases and to improve the response of An Garda Síochána and all relevant Departments and agencies to youth crime, and the factors which give rise to it; and
- the report of the Commission on the Future of Policing in Ireland (CoFPI) provides a clear vision for a modern, highly professional, human-rights-based police service, focusing on a Garda organisation which works closely and collaboratively with communities and other agencies to keep communities safe and to prevent harm to vulnerable people; and

supports:

- the Government’s commitment to the four-year implementation plan, ‘A Policing Service for the Future’, to give effect to the report of the CoFPI, which will address many of the issues highlighted in relation to youth crime, including improvements to systems, training, supervision, accountability and interagency working;
- the strong endorsement by the Chair of the Policing Authority and the Garda Commissioner of the work of the Juvenile Diversion Programme;
- the continuing work of the Garda authorities to clarify all aspects of the issues relating to youth crime and take necessary actions to prevent recurrence;
- the sincere apology issued by the Garda Commissioner and the steps being taken by An Garda Síochána to inform victims as well as the young offenders whose behaviour went unchallenged;
- the clear statement by the Garda Commissioner that all potential failings by individual Gardaí will be investigated and assessed with respect to any relevant disciplinary action;

- the rigorous examination of these matters by the Policing Authority and their ongoing work, in accordance with their statutory remit, to achieve a full explanation of what happened, assurance that comprehensive remedial actions are taken and bring all appropriate information into the public domain;
- the Government’s commitment to funding and enhancing, as far as possible, the operation of Garda Youth Diversion Projects, including training and best practice support for Youth Justice Workers, in consultation with the community and expert stakeholders, to provide services which address the needs and circumstances of children in all parts of the country; and
- the Government’s initiative to develop a new Youth Justice Strategy, assisted by an expert Steering Group, to provide a framework for policy development including consideration of legislation, arrangements to promote interagency working and oversight of policy implementation, and the implications for the most effective alignment of Ministerial and State agency responsibilities.” — *An tAire Dlí agus Cirt agus Comhionannais*.

216a. “That Dáil Éireann resolves that the County of Wexford Local Electoral Areas and Municipal Districts Order 2018 (S.I. No. 637 of 2018) be and is hereby annulled.”— *James Browne*.

[30 January, 2019]

**SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA dTITHE
DOCUMENTS LAID BEFORE THE HOUSES¹**

<i>Reachtúil</i>	<i>Statutory</i>
<i>Tairiscint Ceadaithe ag Teastáil</i>	<i>Requiring Motion of Approval</i>
Níl aon scríbhinn á leagan faoin gCatagóir seo	None
<i>In-neamhnithe le Tairiscint</i>	<i>Open to Motion to Annul</i>
Na Rialacháin Leasa Shóisialaigh (Éilimh agus Íocaíochtaí Comhdhlúite agus Rialú) (Leasú) (Uimh. 1) (Liúntas Cúraim Baile - Cónaí Rialta Linbh Cháilithe), 2019 (I.R. Uimh. 11 de 2019).	Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 1) (Domiciliary Care Allowance - Normal Residence of Qualified Child) Regulations 2019 (S.I. No. 11 of 2019).
<i>Eile</i>	<i>Other</i>
Togra le haghaidh Cinneadh ón gComhairle maidir le críochnú Prótacail idir an Comhphobal Eorpach agus Ríocht na Danmhairge maidir leis na critéir agus na	Proposal for a Council Decision on the conclusion of a Protocol between the European Community and the Kingdom of Denmark on the criteria and mechanisms for

¹ I gcás nach leagtar scríbhinn ach faoi bhráid aon Teach amháin, cuirfear (D) – Dáil nó (S) – Seanad ina diaidh dá réir sin.

Where a document is laid before one House only it will be appended with (D) – Dáil or (S) – Seanad accordingly.

sásraí chun an Stát atá freagrach as scrúdú a dhéanamh ar iarratas ar thearmann a thaisctear sa Danmhairg nó in aon Bhallstát eile de chuid an Aontais Eorpaigh a shuíomh, agus lena mbunaítear ‘Eurodac’ chun méarloirg a chur i gcomparáid chun Coinbhinsiún Bhaile Átha Cliath a chur chun feidhme go héifeachtach agus an comhaontú sin a leathnú chuig réimse fhorfheidhmiú an dlí mar aon le nóta faisnéise míniúcháin.

COM (2018) 835.

An Bord Taighde Sláinte. Na Ráitis Airgeadais don bhliain dar chríoch an 31 Nollaig 2017.

Togra le haghaidh Rialachán ó Pharlaimint na hEorpa agus ón gComhairle maidir le rialacha comhchoiteanna lena n-áirítear aernascacht bhunúsach i dtaca le tarraingt siar Ríocht Aontaithe na Breataine Móire agus Thuaisceart Éireann as an Aontas mar aon le nóta faisnéise míniúcháin.

COM (2018) 893.

Togra le haghaidh Cinneadh ón gComhairle lena gcinntear comhdhéanamh Choiste Eacnamaíoch agus Sóisialta na hEorpa mar aon le nóta faisnéise míniúcháin.

COM (2018) 783.

Togra le haghaidh Cinneadh ón gComhairle maidir leis an seasamh a bheidh le glacadh, thar ceann an Aontais Eorpaigh, i gComhchoiste LEE, i dtaca le leasú ar Iarscríbhinn IX (Seirbhísí Airgeadais) a ghabhann le Comhaontú LEE (An Rialachán maidir le Taisclanna Lárnacha Urrús (RTLÚ)) mar aon le nóta faisnéise míniúcháin.

COM (2018) 786.

Gníomhaireacht Forbartha Ghráinseach Ghormáin. An Tuarascáil Bhliantúil, 2017.

An Coimisiún um Iomaíocht agus Cosaint Tomhaltóirí. Na Ráitis Airgeadais don bhliain dar chríoch an 31 Nollaig 2017.

Rásaíocht Capall Éireann. Ráitis Airgeadais

establishing the State responsible for examining a request for asylum lodged in Denmark or any other Member State of the European Union and ‘Eurodac’ for the comparison of fingerprints for the effective application of the Dublin Convention extending that agreement to law enforcement together with explanatory information note.

COM (2018) 835.

Health Research Board. Financial Statements for the year ended 31 December, 2017.

Proposal for a Regulation of the European Parliament and of the Council on common rules ensuring basic air connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union together with explanatory information note.

COM (2018) 893.

Proposal for a Council Decision determining the composition of the European Economic and Social Committee together with explanatory information note.

COM (2018) 783.

Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning an amendment to Annex IX (Financial Services) to the EEA Agreement (Central Securities Depositories Regulation (CSDR)) together with explanatory information note.

COM (2018) 786.

Grangegorman Development Agency. Annual Report, 2017.

Competition and Consumer Protection Commission. Financial Statements for the Year ended 31 December, 2017.

Horse Racing Ireland. Audited Group

Iniúchta an Ghrúpa don bhliain Airgeadais dar chríoch an 31 Nollaig 2017.	Financial Statements for the Financial year ended 31 December, 2017.
Rásaíocht Capall Éireann. An Tuarascáil Bhliantúil, 2017.	Horse Racing Ireland. Annual Report, 2017.
Campas Coinneála Leanaí Bhaile an Oibríoch. An Tuarascáil Bhliantúil agus na Ráitis Airgeadais don bhliain dar chríoch an 31 Nollaig 2017.	Oberstown Children Detention Campus. Annual Report and Financial Statements for year ended 31 December, 2017.
Campas Coinneála Leanaí Bhaile an Oibríoch. An Tuarascáil ón Ard-Reachtaire agus Cuntas agus Ciste don bhliain dar chríoch an 31 Nollaig 2017.	Oberstown Children Detention Campus. Report of the Comptroller and Auditor General for the year ending 31 December, 2017.
Togra le haghaidh Cinneadh Forfheidhmiúcháin ón gComhairle maidir leis na rialacha idirthréimhseacha le haghaidh Ionchúisitheoirí Eorpacha a cheapadh don tréimhse agus le linn tréimhse an chéad sainordaithe, dá bhforáiltear in Airteagal 16(4) de Rialachán (AE) 2017/1939 lena gcuirtear i ngníomh comhar feabhsaithe maidir le hOifig an Ionchúisitheora Phoiblí Eorpaigh (“OIPE”) a bhunú mar aon le nóta faisnéise míniúcháin.	Proposal for a Council Implementing Decision on the transitional rules for the appointment of European Prosecutors for and during the first mandate period, provided for in Article 16(4) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office (“the EPPO”) together with explanatory information note.
COM (2019) 2.	COM (2019) 2.
An tÚdarás Sláinte agus Sábháilteachta. An Ráiteas Straitéise, 2019 – 2021.	Health and Safety Authority. Strategy Statement, 2019 – 2021.
<i>Neamhrechtúil</i>	<i>Non-Statutory</i>
Tithe an Oireachtais. An Comhchoiste um Thithíocht, Pleanáil agus Rialtas Áitiúil. An Clár Oibre, Eanáir – Nollaig 2019.	Houses of the Oireachtas. Joint Committee on Housing, Planning and Local Government. Work Programme, January – December, 2019.
An tOrdú fán Acht um Chosaint Raideolaíoch (Leasú), 2018 (Tosach Feidhme), 2019 (I.R. Uimh. 10 de 2019).	Radiological Protection (Amendment) Act 2018 (Commencement) Order 2019 (S.I. No. 10 of 2019).
Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Fostaíochta agus Coimirce Shóisialach. An Clár Oibre um Ghrinnscrúdú Aontais Eorpaigh, 2019.	Houses of the Oireachtas. Joint Committee on Employment Affairs and Social Protection. European Union Scrutiny Work Programme, 2019.
Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Fostaíochta agus Coimirce Shóisialach. An Clár Oibre, 2019.	Houses of the Oireachtas. Joint Committee on Employment Affairs and Social Protection. Work Programme, 2019.
An tOrdú um Acht an Bhainc Ceannais (Bunachar Sonraí Náisiúnta d’Fhaisnéis faoi Éilimh), 2018 (Tosach Feidhme), 2019 (I.R.	Central Bank (National Claims Information Database) Act 2018 (Commencement) Order 2019 (S.I. No. 2 of 2019).

Uimh. 2 de 2019).

An Eagraíocht Oibreachais Idirnáisiúnta. Páipéar Bán - Gníomh ag Rialtas na hÉireann maidir le hIonstraimí arna nglacadh ag an 103ú Comhdháil Oibreachais Idirnáisiúnta, Meitheamh, 2014

International Labour Organisation. White Paper - Action by the Government of Ireland in respect of Instruments adopted at the 103rd International Labour Conference, June, 2014.

Tithe an Oireachtais. An Comhchoiste um Oideachas agus Scileanna. Tuarascáil maidir leis an Oideachas Caidrimh agus Gnéasachta. Eanáir, 2019

Houses of the Oireachtas. Joint Committee on Education and Skills. Report on Relationships and Sexuality Education. January, 2019.